

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

The Town Council of the Town of Tiverton, County and State aforesaid held a Special Town Council Meeting/Workshop at the Tiverton Town Hall, 343 Highland Road on Monday, the 31st day of August 2009 at 7:00 p.m.

MEMBERS PRESENT:

President Bollin, Vice President Arruda, Councilor Costa, Councilor Durfee, Councilor Lambert, Councilor Leonard and Councilor Roderick

Town Administrator Goncalo, Town Clerk Nancy L. Mello and Solicitor Teitz were also present.

TOWN COUNCIL WORKSHOP

Dan Beardsley, Exec Director League of Cities and Towns Regarding General Assembly Action

Dan Beardsley, Executive Director League of Cities and Towns (League) updated the Council on recent legislative action. The League is the primary means of advocacy on behalf of cities and towns. General overview of 09/10 epitomizes the perfect fiscal storm, crisis of epidemic proportions. State situation has a dire impact on Cities and Towns. No one in the General Assembly has any real solution. Difficult decisions have not been made on the State level. Last week without notice the Governor is proposing to withhold Motor Vehicle excise reimbursements.

State has reduced full time employees by 3700 and changed the State pension system. Need tools to manage budgets efficiently; called for changes in Municipal retirements, changes in COLA, employee contributions went nowhere. Asked for relief from certain mandates, statutory obligations from binding arbitration, going to Court to stop the MV withholding, a major property relief for taxpayers. Other cuts could happen after the November revenue conference. Mr. Beardsley noted at the minimum collective action is absolutely necessary by cities and towns. Asking the Council to pass a resolution rejecting binding arbitration, urge the General Assembly to reject the Governor's proposal. At open forums need to make the public more aware of the situation. Estimated \$344,000 that the Town will lose. The General Assembly needs to hear from Councils around the State about the impact.

Consolidation is a local decision because almost every community has a charter and contracts that would need to be addressed. State Senator Louis DiPalma created a commission of local Reps. And Senators, start with three mill towns as a case study to merge services. President Bollin noted last year the State lacked giving the communities tools to make changes, took money from the Town but didn't provide relief. How does the Town reduce a workforce with mandatory staffing?

Absolutely imperative for the Council to communicate strongly in interest of citizens of the Town. President Bollin noted the Town was well represented. Mr. Beardsley was working on a formula for aid to education; some school districts are not doing what is necessary on expenditures. Councilor Costa noted the State is supposed to serve the people, some civil disobedience well placed might get the Town somewhere. According to Mr. Beardsley the State has the right to garnish General Aid. President Bollin thanked Mr. Beardsley for updating the Council, will help as much as possible.

Councilor Durfee suggested moving up the discussion of the Sewer District in the interest of time.

President Bollin recused himself and left the Council table for the discussion of the Sewer District due to a conflict of interest.

Town Administrator/WW Management – Discussion of Sewer District

Wastewater Management Commission Chairman Leroy Kendricks and Noel Berg distributed an outline to the Council citing reasons for a Sewer District. A Sewer District might be beneficial to look at for North Tiverton, grant money available, could take advantage of USDA grants, residents who have to have systems replaced would pay a lot less to get into compliance and the costs for sewers would be spread out over many years, better for economic development. Possible areas for sewers include North Tiverton, Riverside Drive, Main Road and others. Maps were drawn in the late 70's as defined in the Berger Report. Chairman Kendricks investigated how this would be developed and received a quite a bit of information from New Shoreham. This is a concept, seeking questions and identifying obstacles before continuing. The Council would define the areas, appoint Board members and hopefully have enabling legislation by 2010 for district establishment by 2011.

Councilor Lambert was concerned about fees. Councilor Durfee wanted a copy of the proposed procedure and legislation. Worthwhile to develop questions, answers, how will it work, how does the money flow, kinds of grants, what about existing bond issues, should get the Town Engineering firm to assist. Councilor Roderick questioned the cost and how it would impact Bay St. Solicitor Teitz noted the Town would need enabling legislation because the Council would be creating a taxing entity. Councilor Costa wanted to review any documents related to the discussion of the Sewer District. Noel Berg noted the need to proceed cautiously. Chairman Kendricks noted once an area is found to be in noncompliance, the interest in being sewerred increases. Councilor Lambert requested additional financial data, cost of doing something versus cost of doing nothing.

President Bollin returned to the Council table at this time.

Council Governance

Councilor Leonard was frustrated with getting backup on the night of the meeting, not a new problem. Suggested the Council might be better off by having Executive Session early in the meeting rather than at the end. The prior Administrator issued a weekly report to the Council as a way of keeping them informed of events, need a better Policy binder.

President Bollin noted the Council needs to create a policy if there isn't one already regarding backup on agenda requests. Town Clerk Nancy Mello noted the Council needs to provide more realistic timetables for issues that are continued, and avoid placing on the next meeting if not ready. More items could be added to the Consent Agenda like transfers, if necessary the item could be removed. President Bollin definitely did not want any backup on the night of the meeting. Town Clerk noted the Tuesday 3:00 pm deadline could remain but needs to be firm.

Solicitor Teitz recommended minimizing motions to receive and file, have more items on the Consent Agenda, including fund transfers and bid advertising requests. Town Clerk, addressed any problem with the minutes, noted any motions must be seconded first before discussion and clearly stated. Councilor Durfee was concerned about having the Executive Session at 6:00 pm and stopping to resume the Council meeting at 7:00 pm and then going back into Executive Session if not completed.

General consensus was to put Fund Transfers on the Consent Agenda, single appointments to a Board or Commission and the weekly report from the Town Administrator. The weekly report would be sent via email and be included in the Councilors packets to coincide with the Council meetings.

President Bollin also noted a Condolence book for the late Senator Edward Kennedy for people to sign was received late this afternoon. The book is on the showcase next to the easel with pictures of the late Senator. The Condolence Book will be picked up at after the September 14th meeting.

Workshop ended at approximately 9:30p.m.

President Bollin opened the Special Meeting for Closed Executive Session.

SPECIAL MEETING AGENDA:
CLOSED EXECUTIVE SESSION

1.Town Solicitor –42-46-5(a)(6) – Prospective Business or Industry

2.Town Solicitor – Litigation – 42-46-5(a)(2)

In Open Session, Councilor Durfee made a motion, seconded by Councilor Arruda to enter into Executive Session pursuant to 42-46-5(a)(6)-Prospective Business or Industry. Motion passed unanimously.

Councilor Durfee motioned to remain in Executive Session, seconded by Councilor Arruda pursuant to 42-46-5(a)(2)-Litigation. Motion passed unanimously.

The Council entered into Executive Session at approximately 9:35 p.m.

OPEN SESSION:

Council President Bollin announced no action had been taken in Executive Session.

Councilor Roderick made a motion, seconded by Councilor Durfee to seal the minutes of the Executive Session. Motion passed unanimously.

ADJOURNMENT

Councilor Durfee made a motion, seconded by Councilor Roderick to adjourn the Special Meeting. Motion passed unanimously.

Meeting adjourned at approximately 9:00 p.m.

A True Copy.

ATTEST: _____
Nancy L. Mello, Town Clerk

